

ORIGINAL

1 VIRGINIA:
2 IN THE CIRCUIT COURT OF THE CITY OF RICHMOND
3
4 FRANCES A. CAREY,
5 Plaintiff ,
6 VS. AT LAW NO.
7 NATIONAL RAILROAD PASSENGER LC-1323-4
8 CORPORATION,
9 Defendant.

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The deposition of ANN HUMBLES was taken on Tuesday, December 2, 1997, commencing at 12:20 p.m., at the offices of Amtrak, 900 Second Street, Washington, D.C., before Donna E. Mize, Certified Shorthand Reporter and Notary Public.

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A P P E A R A N C E S

ON BEHALF OF THE PLAINTIFF:
JOHN M. COOPER, ESQ.
Wilson, Hajek & Shapiro, P.C.
P.O. Box 5369
Virginia Beach, Virginia 23455

ON BEHALF OF THE DEFENDANT:
AUBREY R. BOWLES, III, ESQ.
Bowles & Bowles
Two North Fifth Street
Richmond, Virginia 23219

ALSO PRESENT:
Frances Carey

(index appears following the transcript.)

P R O C E E D I N G S

2

3 whereupon

4

ANN HUMBLES

5

6 a witness, called for examination, having been
7 first duly sworn, was examined and testified as
8 follows:

8

EXAMINATION

9

BY MR. COOPER:

10 Q. Please state your full name for the
11 record?

12

A. Ann Humbles.

13

14 Q. Ms. Humbles, as I think you know my name
15 is John Cooper. I'm one of the attorneys
16 representing Frances Carey in a personal injury
17 action against Amtrak, were you aware of that?

17

A. Yes.

18

19 Q. And I'm going to ask you some questions
20 today. If I ask a question that is not clear
21 then please ask me to rephrase it for you, so I
22 make sure that you understand what I'm asking; is
that all right?

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1 A Okay.
2 Q. As you have been doing it is very helpful
3 for you to answer with a verbal response like a
4 yes or no rather than shaking your head or saying
5 uh-huh.
6 A. Okay.
7 Q. What is your home address?
8 A. 1107 Kennebec, K E N N E B E C, Street,
9 Apartment 3D, like dog.
10 Q. What is your home phone?
11 A. (301) 567-8149. That is Oxon Hill,
12 Maryland.
13 Q. Is that one word?
14 A. Oxon, O X O N, and Hill.
15 Q. Maryland, zip?
16 A. 2 0 7 4 5 .
17 Q. Where do you work?
18 A. I work in the transportation department.
19 Station cleaner is my title.
20 Q. Which station is it that you work out of?
21 A. Washington, on Massachusetts Avenue, D.C.
22 Q. Also known as the Union Station?

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1 A. Union Station.
2 Q. How long have you been in that job title?
3 A. About seven years.
4 Q. And so that would take us back to maybe
5 1990, approximately?
6 A. No, I came here in 1980.
7 Q. What were you doing for your first
8 10 years?
9 A. The first two years I was a station
10 cleaner, and then I was in charge of store room
11 and various other jobs, ticket office, and crew
12 dispatcher. I have done it all.
13 Q. And then you came back about seven years
14 ago to being station cleaner?
15 A. Yes.
16 Q. Is there something about that job that
17 you particularly like?
18 A. There was just some personal problems
19 with the other job.
20 Q. With respect to your duties, what do you
21 basically do in that role?
22 A. Basically clean all the offices and the

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1 bathrooms and the cafeteria and downstairs and
2 the lounge.

3 Q. Would that include cleaning the locker
4 room area where Frances Carey was hurt?

5 A. Yes, clean the locker room plus the
6 K-Tower.

7 Q. what is that?

8 A. The K-Tower is the main center where they
9 bring the trains in and out. That is like the
10 main center. They put the flags up, and they
11 bring the trains back. That is where you get
12 your orders at too.

13 Q. You were actually present in the same
14 locker room with Ms. Carey when the lockers fell
15 on her on August 25, 1995, correct?

16 A. Yes, I was.

17 Q. Tell me what happened?

18 A. Well, me and Frances had went round to
19 the locker room, and usually I see her when she
20 comes in, and we were talking, and as she reached
21 up to get her hat the locker began to tilt over.
22 I began to holler, and she looked at me like what

1 is going on, you know, and when she looked up she
2 braced the locker with both her hands. She put
3 her hands up like this up in the air, and when
4 she did everything, all the lockers were coming
5 down, and it knocks her over that bench.

6 Her head got hit first, but her leg got
7 caught, so I was screaming and hollering so loud
8 for help, plus her -- I ran over and I pushed the
9 locker up off her leg to kind of slide her out,
10 and then I laid her on the ground. Then when I
11 went to run to get help Deborjah Blackwell was
12 coming around the corner, and one of the ladies
13 that was in the locker room -- did she say that
14 she would go get help, I don't remember none of
15 them, but other people came, but I was out of it,
16 and then I went into a slight asthma attack in
17 the locker room.

18 Q. In the locker room?

19 A. Yes.

20 Q. Let me go back and make sure I understand
21 some of that. I have just taken a tour of that
22 locker room. I take it that where your locker is

1 and where you were you could actually see where
2 she was standing?

3 A. I was standing faced her, talking to her
4 because I was going out to the K-Tower to clean.
5 She was saying she was going to briefing and she
6 had to get around the train, so I said let's go.
7 We were laughing at the same time. She had her
8 coat on and she was ready to go. She just had to
9 put her hat on.

10 Q. Do you know if she had already gotten her
11 hat off there before the thing started to tip?

12 A. When she got the hat it was coming out, I
13 seen it tipping, she had her hat in her hand.

14 Q. Did she realize at that first moment when
15 you saw it tipping that it was coming over on
16 her?

17 A. No. She looked at me like what is she
18 hollering for. She thought I had lost my mind.
19 I was screaming, you know.

20 Q. As I understand the layout of the room
21 you would have been to her left as she would be
22 facing her locker?

1 A Yes

2 Q. She would be to your right as you were
3 facing your locker?

4 A. Yes.

5 Q. Both on the same side of the room?

6 A. Yes.

7 Q. As she was talking to you she would have
8 had her side or back partially to the locker?

9 A. Yes. Her side was to the locker, and she
10 was looking at me and she reached up like this,
11 and she was like getting ready to get the hat,
12 and I said look out and I started screaming. She
13 is like what is she hollering for, and she looked
14 up, and that is when the locker is coming down.

15 Q. Did she do everything in her power to
16 prevent the locker from falling on her?

17 A. Yes. But it is not too much because it
18 is so small she couldn't hold those three
19 lockers. But she tried to get out of the way as
20 much as she could, but she couldn't because it
21 knocked her over the bench and pinned her down.

22 Q. When you say so small you are talking

1 about the amount of room?

2 A. The amount of room between the locker and
3 the bench.

4 Q. And she put up at least one or both of
5 her hands to try to keep it from falling on her?

6 A. She put up both hands, but the left arm
7 was more like this (indicating).

8 Q. How heavy are those lockers?

9 A. They are heavy. If you have material in
10 them they are very heavy, bUt they are very --
11 when they are coming down on you they are heavy.

12 Q. There were what, three of them together
13 that came down on her?

14 A. Yes.

15 Q. Do you know what was in the other two
16 lockers beside her locker?

17 A. There are two conductors on those side.
18 I don't know what they got in their locker. Most
19 of time they keep their books, uniforms, they
20 could be very heavy. Mine is an LSA on that
21 side, and she has her uniform.

22 Q. what is an LSA?

1 A. A LSA is a person who works on the train
2 and they serve the food. Some do the making up
3 the beds, whatever.

4 Q. So her locker, that being Frances
5 Carey's, was the middle of the last three lockers
6 at the end of room on the left side, correct?

7 A. Yes.

8 Q. So I take it the ones on either side of
9 her in that set were both conductors, or was one
10 the LSA?

11 A. One is an LSA. I think the rest are
12 conductors. I think Sonia Blanks locker is right
13 in there between them, between Frances and this
14 other conductor.

15 Q. Did the lockers come open -- let me start
16 in a different place. Frances, locker was open
17 as this was happening, right?

18 A. Uh-huh, but the other lockers didn't come
19 open, they just fell. I think it was four
20 lockers instead of three. I'm not too sure. it
21 may have been three. I went out like a light.
22 The only thing I was thinking about was her and

1 we had to pick them up, I know that.

2 Q. When you said you went out like a light,
3 is that because of the asthma attack?

4 A. I think I panicked and I started
5 screaming, and like I said I don't remember
6 nobody saying nothing to me, and I only remember
7 Deborjah was saying to get me because I was -- I
8 turned a different color. She said I was alert,
9 but I was just nervous.

10 Q. Do you think you actually blacked out or
11 lost consciousness?

12 A. No, I didn't lose consciousness. I was
13 just worried about her. I thought that she was
14 done.

is Q. was it your screaming that brought
16 Deborjah Blackwell around?

17 A. Yes. Because I mean Mr. Brown, who was
18 the crew dispatcher that day, heard me screaming,
19 and I think Deborjah was in the office getting
20 her order, and she ran immediately to the locker
21 room, and then Deborjah sent Teddy Rao, R A O,
22 around.

1 Q. Who was the other lady besides
2 Ms. Blackwell and Mr. Rao?

3 A. There was an Ellen Washington that was in
4 the bathroom. She was the one that came out.
5 She never wants me to be there when she gets hurt
6 because you were screaming so hard. She said it
7 seemed like nobody was coming fast enough around
8 the corner to help out.

9 Q. Who was the first person in the room?

10 A. Deborjah Blackwell was first.

11 Q. And then Ms. Washington?

12 A. Ms. Washington was already there, but she
13 would have been the first one to talk to, me and
14 Deborjah came through, and then the guys in the
15 mark room, and then Teddy Rao and Squiggy and all
16 of them came in.

17 Q. When the actual incident occurred, the
18 lockers coming over, you and Frances were the
19 only people in the locker room itself and
20 Ms. Washington is right next door?

21 A. In the bathroom.

22 Q. Do you know what caused the locker to

1 come down on her?

2 A. Yes, they were not attached to the wall.

3 Q- Did you actually go and look at them
4 yourself and see what was going on with them?

5 A. I had experience with them myself
6 personally. I didn't report it because I knew
7 that the locker rooms were just opened when I
8 came backup from a prior accident I had. When I
9 went to get something out of the locker it moved,
10 and they kind of tipped a little bit, but I
11 wasn't in her position. I was facing the locker,
12 so I could push it back, and I never said
13 anything about it because I thought they was
14 going to fix it. And I thought they knew because
15 when I came back it was finished and they gave me
16 a locker.

17 Q. Approximately when was it that you
18 noticed that another locker had tipped over?

19 A. Two months prior to this.

20 Q. Is that the same locker room?

21 A. Yes, it is.

22 Q. was it a different group of the lockers?

1 A. It is on the same side that she was on,
2 on the right.

3 Q. Is that essentially your locker that we
4 are talking about?

5 A. Yeah.

6 Q. As you come in the room that is the first
7 locker to your left, the first set of lockers to
8 your left?

9 A. Yeah.

10 Q. It is the middle of those three?

11 A. Yeah.

12 Q. So you had noticed it tip. How much
13 pressure was necessary to make it tip over
14 towards you?

15 A. None. I didn't have nothing in my locker
16 at that time. It didn't take much. It was just
17 a little touch because it was hollow. There was
18 hardly nothing in the locker. Right now if it
19 was not fastened to the wall it would take a lot
20 of pressure because I have so much in it now.

21 Q. Who would you normally have reported that
22 to if you had thought it presented a problem?

1 A. I would report it to Briscoe because he
2 was in charge of the lockers at that time.

3 Q. Is he your immediate supervisor?

4 A. At one time he was.

5 Q. How about -- let's start, with the date
6 of Frances' accident, August 25, 1995, was he
7 your boss at that time?

8 A. Yes, he was.

9 Q. What is his full name, it is Mr. Briscoe?

10 A. Right, Mr. Briscoe. I can't think of his
11 first name.

12 Q. Do you know how to spell Briscoe?

13 A. B R I S C O E.

14 Q. At that time approximately two months
15 before Frances' injury when you noticed the
16 lockers tip toward you, was he also at that time
17 your immediate supervisor?

18 A. Yes, he was.

19 Q. What is his title?

20 A. At that time he was in charge of the
21 station cleaners and in charge of the lockers.

22 Q. And other than that one incident where

1 you noticed your own locker tipping towards
2 yourself, were there any other incidents that you
3 personally observed before Frances' where those
4 lockers tipped?

5 A. No.

6 Q. Were you aware of any other source of
7 somebody telling of that happening to anyone
8 else?

9 A. No, I'm not.

10 Q. Before the locker tipped up over onto
11 you, did you have any idea that they were that
12 unstable?

13 A. Yeah. I knew they were unstable because
14 I was careful going in, I knew.

is Q. Is that because you had seen it shake
16 before?

17 A. Yeah, because of the experience I have
18 had with them. I guess I was -- to see Frances I
19 didn't tell her about -- when you see people you
20 don't go through that and tell them that.

21 Q. Let me make sure you understood my last
22 question. When you had the experience two months

1 before Frances, when the locker tipped up onto
2 you, did you realize before that time?

3 A. No, because I wasn't there, no.

4 Q. So prior to that you didn't realize they
5 were that unstable?

6 A. No, I didn't.

7 Q. Part of that time two months before
8 Frances' accident when it tipped up on you, how
9 long had you used that locker prior to then?

10 A. I had just been back about two months,
11 about two or three months. I came back in March.
12 She came back in August.

13 Q. When you had that incident, I guess it
14 would have been some time approximately in June
15 of 1995, does that sound about right?

16 A. I had it the same month I came back in
17 March. I came back in March. I was using the
18 locker.

19 Q. You came back in March, 1995 to this job?

20 A. Yes.

21 Q. It would have been a couple of months
22 after that so maybe May?

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1 A. Yeah, something like that.
2 Q. At that time in approximately May of 1995
3 after the locker tipped up on you, did you look
4 at it and say boy, this thing is not fastened
5 down and inspect it?
6 A. No, I didn't do that, no.
7 Q. But you realized that it was unbolted
8 because it came up?
9 A. Yes.
10 Q. Was that true of all the lockers in that
11 locker room at that time?
12 A. On that side. Can I go back to the
13 question. When I came back in March, the week
14 that I got back that was the time I found out
15 that locker was unbolted. It was not in May. it
16 was in the same month I came back in.
17 Q. So in the same month you came back in
18 March 1995 is when this tipping incident
19 occurred?
20 A. Yeah.
21 Q. Did you look at the other lockers in the
22 locker room at that time and realize all the ones

1 on your side were unbolted?

2 A. No. I just knew that the three in the
3 section that I was at were unbolted.

4 Q. Was there any routine system of
5 inspection of that area for safety stuff like
6 whether things were fastened down?

7 A. Not that I know of. It could have been
8 before I got there, but it wasn't during the time
9 I was there.

10 Q. So when you came there in March, 1995
11 where were you working just before that?

12 A. I was station cleaner.

13 Q. You were still a station cleaner but at a
14 different place?

15 A. No, still up here.

16 Q. What was your title after March of 1995?

17 A. I'm still station cleaner.

18 Q. You just got moved to the new locker?

19 A. Just got moved to the new locker.

20 Q. I see. Where was your locker room before
21 then?

22 A. On the other side.

1 Q. Of the same room?

2 A. We have the MEs on the other side, and I
3 was on the other side, and he just moved me on
4 that side.

5 Q. So in terms of getting your locker
6 assignments, I take it that the company simply
7 gives you an assigned locker?

8 A. Mr. Briscoe assigned all the station
9 cleaners together on the left side.

10 Q. Do you know how Frances came to have her
11 locker assignment?

12 A. She had come in, filled out a form, and
13 left it, and come back and picked up the locker
14 assignment later. He also leaves it in the crew
15 is dispatch office.

16 Q. She doesn't have any control. They
17 assign it to her?

18 A. They assign it.

19 Q. And that would be Mr. Briscoe?

20 A. Mr. Briscoe does the assigning, and he
21 leaves it with the head crew dispatcher, which
22 was Donny Livit.

1 Q. How is that spelled?

2 A. L I V I T, something. I don't know how
3 t ospell it.

4 Q. Who was he again, what role did he have?

5 A. He is the head of the crew dispatchers.
6 He is their manager or supervisor. He is the
7 head of the office.

8 Q. He would have had some role in assigning
9 the lockers?

10 A. He would have the role in receiving them.
11 Because Briscoe would leave at a certain time and
12 people would come in different times, and like
13 Frances and many other conductors they come at
14 nighttime, and what he would do is leave it in
15 the crew dispatch office, and Donny would leave
16 it there with a note that a certain person should
17 be able to get it, and when they come in their
18 locker assignment is right there on the desk with
19 them, but they would have to bring their own lock
2 0 in.

21 Q. When you were using the locker back on
22 the right-hand side of the room prior to March of

1 1995, roughly how long did you have a locker over
2 there?
3 A. Ever since I started back doing station
4 work.
5 Q. A number of years maybe?
6 A. Many years, and when they built the new
7 locker room they moved me over to that section.
8 Q. when you say the new locker room is that
9 the locker room in question?
10 A. In question, they just built that locker
11 room.
12 Q. Approximately how long ago?
13 A. I was out when they was working on the
14 locker room, which I went out in October and I
15 came back in March, and it was complete.
16 Q. October of '94 through March of 1995?
17 A. Yes, I was out during that time. I had a
18 prior accident.
19 Q. So it would have been sometime during
20 that time frame?
21 A. They had started working on it before I
22 left, and they were complete with it and I was

1 moved on the other side.
2 Q. Prior to that where was the locker room?
3 A. On the other side of the room.
4 Q. In the same space?
5 A. In the same space, but when you came into
6 the door there was another opening, and there is
7 a locker room on that side.
8 Q. Say that to me again?
9 A. When you come into the door we went left,
10 right, it is on the left side.
11 Q. Which door are we talking about?
12 A. As we come into the bathroom door, and
13 then we went straight. On the other side of that
14 wall there is another locker room.
15 Q. To the left or right as you were coming
16 into the bathroom?
17 A. Left .
18 Q. Is that area currently a locker room?
19 A. It is much larger. I didn't show that to
20 you, but it is much larger.
21 Q. Who uses that or has been using that?
22 A. That is the ME, mechanics.

1 Q. The space that is the locker room in
2 question was that already being used as a locker
3 room, or is that created out of an office?

4 A. That is created out of an office, out of
5 the mark office. That was part of their office,
6 and they cut it down and squared it off.

7 Q. So that would have been cut out of that
8 office space and turned into a locker room
9 sometime between October of 194 and March of '95?

10 A. It would go a little bit farther back
11 because they had started working on it before
12 then.

13 Q. Roughly how long before you went out in
14 October of 194 had they begun, just
15 approximately?

16 A. I don't know, about a year because they
17 are real slow about things, they start work and
18 then they stop.

19 Q. Why did it take so long, do you know, to
20 complete that locker room?

21 A. That is Amtrak's way. I really don't
22 know. You have to ask the fixed property.

1 Q. Would that have been under Briscoe's
2 supervision under the building?
3 A. No. Fixed property does the building.
4 Q. Fixed property is a department?
5 A. Yes, the department that does the
6 building.
7 Q. Who is the head of fixed property today,
8 if you know?
9 A. I know who he is, I just don't know his
10 name.
11 Q. Do you know the name of any of the guys
12 going back in time, like who was in charge of it
13 at the time of this renovation?
14 A. They are still there. I just don't know
15 their names.
16 Q. So for approximately a year they were
17 building out this new locker room space?
18 A. Yes.
19 Q. How long were you using the locker on the
20 right-hand side of this new locker room?
21 A. Every since I came back, like seven years
22 I have been using it on that side.

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1 Q. You got me confused. i thought it didn't
2 exist going back seven years?

3 A. No, that is how long I have been using
4 that locker on that side.

5 Q. Is it because the lockers have been moved
6 to a new room?

7 A. Remember, you asked me how long -- are
8 you asking me about the locker room I'm in now or
9 the one I was in prior?

10 Q. I'm talking about the locker room you are
11 in now?

12 A. The one I'm in now I have been using that
13 now about two or three years, not two or three
14 years.

15 Q. Let me tell you what i think i
16 understand, and correct me if I'm wrong. I
17 understood that the locker room in question where
18 this thing happened was built, and first was
19 prior to that was not even being used as a locker
20 room at all sometime between 1994 and early 1995?

21 A. Yes.

22 Q. And so what I'm trying to figure out is

1 before that thing was built you were then using a
2 locker in what is now the mechanics locker room;
3 is that right?

4 A. Yes.

5 Q. And once the new room, the room in
6 question was built, have you always had the same
7 locker?

8 A. Yes.

9 Q. The one on the left-hand side as you come
10 in?

11 A. Yes.

12 Q. Just to make sure I haven't
13 misunderstood. It would have been just after you
14 got that locker assignment in about March of 1995
15 that you had the tipping incident where you
16 recognized that it was unbolting?

17 A. Yes.

18 Q. Prior to that incident going back to what
19 is now the mechanics locker, during those five,
20 six years that you were using those, have you
21 ever had any similar problem of a locker tipping
22 up on you?

1 A Oh, no.
2 Q. Were you aware of anyone else having such
3 a problem?
4 A. They are built different than these
5 lockers anyway.
6 Q. Are they bolted to the wall?
7 A. They are bolted to the wall, and they
8 also are cemented to the floor.
9 Q. Both ways?
10 A. Yeah.
11 Q. Do you know why the lockers in the new
12 locker room were not bolted down?
13 A. No, I don't.
14 Q. Do you know of anyone else who made any
15 complaint or inquiry about it?
16 A. No.
17 Q. The people who built out that space and
18 made the renovation to create the locker room in
19 question those were Amtrak employees?
20 A. As far as I know.
21 Q. And do you know anything about how the
22 lockers came to be bolted down since Frances'

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1 injury?

2 A. Well, as soon as Frances, injury they
3 realized that the lockers were not bolted down,
4 fixing property and the electric department
5 downstairs came up, and they were there. And it
6 was told to them to immediately bolt these
7 lockers down, and that meant that they had to
8 stay overnight, and they did that one night.

9 Q. That same night of the day she fell?

10 A. They didn't leave until it was bolted
11 down.

12 Q. As I observed today it appears that they
13 have attached the locker set that had fallen on
14 her to the wall with a bolt, to the side wall
15 with a bolt and to the back wall with a piece of
16 wood and some nails; is that correct?

17 A. I wasn't in there. I stayed late, but I
18 was recovering, so I didn't go back into --

19 Q. You are not sure exactly how they did it?

20 A. I know they had a lot of equipment back
21 in there.

22 Q- Do you know is your locker now bolted?

1 A. Why, yes, it is.
2 Q. How is yours attached to the wall
3 currently?
4 A. I guess the same way that hers is.
5 Q. From your observation in using it since
6 then what appears to be there?
7 A. It is very solid and very secure.
8 Q. Is it attached with sort of a metal piece
9 to the wall?
10 A. What I saw is a metal piece on one side.
11 I can't see the back.
12 Q. The back is so high that you can't see it
13 from regular levels?
14 A. No, I would have to stand up on the bench
15 to see.
16 Q- Do you know if they are cemented to the
17 ground currently?
18 A. It seems that they are bolted down to the
19 ground because the other lockers if you went in
20 there they are actually cemented. You can see
21 the cement to the lockers.
22 Q. Who was it who ordered that they had to

1 stay late to make sure to get that done that very
2 day?

3 A. I'm not too sure. So many bosses were
4 there I really don't know, supervisors were
5 there, I don't know which one.

6 Q. The departments that you think were
7 involved in making those repairs that day were
8 the fixed property department and you mentioned
9 one other?

10 A. Electrical department was downstairs.
11 There was a lot of supervisors that had to come
12 over.

13 Q. Do you know the names of any particular
14 people who were involved in that?

is A. I think Fred, the one that we seen today,
16 and Squiggy, but they all were involved.

17 Q. Do you know Fred's last name?

18 A. No.

19 Q. Fred is in the electric department or
20 fixed property?

21 A. Fixed property.

22 Q. Since Frances' injury have you heard of

1 any other tipping incidents of people getting
2 hurt by lockers?

3 A. No.

4 Q. Were there any policies or procedures in
5 place that would have required you to report the
6 tipping incident that you saw back in March of
7 1 9 9 5 ?

8 A. Well, usually we do report it. It is
9 just one of my oversights, but as far as a policy
10 at that time, no. But most of the time when we
11 see things wrong we do report it.

12 Q. Had anyone given you any training as part
13 of your job duties about safety involving
14 securing things to the wall, et cetera?

15 A. No, no.

16 Q. After this incident did anyone give you
17 any further training or were there any new
18 practices put in place about looking for
19 non-secured objects in the locker room?

20 A. Now, they do tell us if we see things to
21 report it.

22 Q. Do they make a point of saying if

1 something is not secure to let the management
2 know?

3 A. Yes.

4 Q- How often does that get reminded
5 about?

6 A. It doesn't get reminded, but it is like,
7 you know, they will say it, but basically on
8 Amtrak they do have a safety meeting every
9 morning. That is brought out because we are a
10 small group. We do it amongst each other and
11 that has to be put in place. There is a paper
12 that comes in and we get it every day.

13 Q. So there is a safety meeting each
14 morning?

15 A. For the rest of the employees, and
16 sometimes some of us are involved. By me working
17 on a split shift, so I miss all this, so there is
18 a paper in the office that they give it to me
19 when I come in.

20 Q. You have to understand I have never
21 worked on a railroad, but I'm a little bit new to
22 all this, so if I sound dense to how you all work

1 I apologize. The safety meeting is for which
2 employees?

3 A. It is for ME, and they've a safety
4 meeting, and since we are a small group of
5 people, there is only about six or seven of us
6 maybe 10, we meet with them. But because I'm an
7 extra person, and I come in and relieve
8 everybody, I don't make it to hardly any meeting.

9 Q. So they give you a printout?

10 A. Like a printout for our office, like what
11 the rule is for the day and be safe and stuff
12 like that.

13 Q. What is that document call?

14 A. Safety rule for the day.

15 Q. That is an every day thing?

16 A. Most of the time. If I haven't received
17 one it is in the office. You can always see it.
18 Like the conductors get their safety rule when
19 they come in. We get ours too.

20 Q. Is it something they hand to you or they
21 put on a bulletin board?

22 A. Usually it is there for me when I walk

1 into the office. It is usually a yellow paper
2 that lays on the desk.

3 Q. Was that same procedure in place that
4 they had a safety meeting, and they would give
5 people who weren't at the safety meeting some
6 kind of notes of it, was that going on back
7 before Frances, injury?

8 A. No, no.

9 Q. When did they start instituting that
10 daily safety meeting?

11 A. It is not that very long. We have always
12 sat down with the ME.

13 Q. What is ME by the way?

14 A. Some of the station cleaners that work on
15 daylight, when they have their safety meeting we
16 are included in their safety meeting. We hear
17 about and they want to know what is going on and
18 what is unsafe on the property. Some of us were
19 included in that, but as far as us as station
20 cleaners, the project for us was that we would
21 receive a note. We had numbers, and we would
22 read it together with each other, and we are

1 supposed, if a supervisor walked up to us, we
2 would he able to tell what was on the safety
3 list.

4 Q. How long has that been going on that
5 there would be a daily safety --

6 A. That safety thing for us, it has been
7 going on for a long time.

8 Q. Well, before her accident?

9 A. Not really. It started getting -- they
10 started enforcing it more after her accident, but
11 the safety meeting thing had been going on.

12 Q. Just the note started to become more
13 regular after?

14 A. Yeah.

15 Q. So in some of these notes they put stuff
16 about looking for objects not being secured to
17 the wall?

18 A. We have been told if we see something
19 that is not right --

20 Q. To report it?

21 A. Yeah, to report it.

22 Q. In terms of other ways that the company

1 would communicate to you or train you prior to
2 Frances, accident, were there any other method by
3 which they would printout safety rules to you?

4 A. They have a safety thing now. It is a
5 publication, a book, that comes out every month,
6 and in that publication it tells you all the
7 things to be careful, traction, because I deal
8 with the tracks too, and that means I walk across
9 the tracks. So in that pamphlet there is
10 direction of what track is out, what to be
11 careful, they always give you instructions how to
12 use different chemicals because we have had
13 chemicals mixed up where somebody will mix
14 ammonia and clorox.

15 Q. So it is a monthly book?

16 A. It is a monthly book. It tells how to
17 deal with the heat in the summertime. We have
18 had sun stroke.

19 Q. What is that called?

20 A. Safety something, safety book. It is
21 different colors each month.

22 Q. That monthly publication, how long have

1 they had that?

2 A. That has been for about a year or two
3 years. Right after Frances they came up -- we
4 had a safety program, but this is more efficient
5 and this comes out, and these people are
6 coworkers. They walk the property. I think they
7 have -- and they check it out. They have
8 meetings on a regular basis, and they also print
9 the publications out.

10 Q. Does that sometime deal with again
11 reporting known dangers?

12 A. Yes, it does. In fact they have officers
13 under them, and their names are listed in the
14 cafeteria, so you can report something that you
15 see that is very dangerous. There could be trash
16 on the step in the hallway down to things
17 anywhere on the property.

18 Q. In terms of your particular group, are
19 you talking before about how it is a relatively
20 small group, what is your group called?

21 A. Station cleaners.

22 Q. How many station cleaners are there

1 approximately?

2 A. About, I would say about 10, very small.

3 Q- Was that true also back at the time of
4 Frances' accident, was the approximate number --

5 A. Yes.

6 Q. Did you ever personally clean, and by
7 that I mean do any cleaning-type work, in that
8 locker room where Frances was hurt?

9 A. Yes.

10 Q. Did you ever notice anything else
11 dangerous about it, including instability of the
12 lockers or anything else?

13 A. No, no.

14 Q. Did you ever notice that the floor may be
is sloped from the side walls or back walls?

16 A. I think on that end where she is at it is
17 a little bit sloped on that side. We have had
18 problems with doors falling in the bathroom,
19 stuff like that. That has been reported.

20 Basically I report anything that is going on.

21 Q. What do you mean by doors falling?

22 A. Bathroom door fell on the young lady's

1 foot. It came off the hinges.
2 Q. We are talking about the swing door that
3 closes a particular lady's stall?
4 A. Yeah. I think that was the young lady
5 you saw today.
6 Q. What is her name?
7 A. I can't think of her name.
8 Q. Is she on your crew?
9 A. She is an ME. She is on the other side
10 of the locker.
11 Q. Where did we see her?
12 A. You were on this side, you didn't see
13 her.
14 Q. when was it that there were some incident
15 with the bathroom doors falling?
16 A. I don't know. That was probably after
17 Frances was gone.
18 Q. After her injury?
19 A. Yeah, that was after she left. That has
20 not been that long because she is just coming
21 back to work too. They have small incidents, but
22 they try to correct them as soon as they see

1 them, you know.

2 Q. You were talking and saying there were
3 some slight slope in the floor. I'm trying to
4 pinpoint where exactly that is?

5 A. I think when the locker fell you could
6 see the slope. I'm not too sure if there is one
7 there. I think it is kind of sloped that side.

8 Q. As you come into that locker room you are
9 talking about the left-hand side where Frances'
10 locker was toward the back wall?

11 A. I think there is kind of a slope down
12 there.

13 Q. It is not necessarily visible when the
14 lockers are in place?

is A. When the locker is in place you can't see
16 that. It might be straight, I'm not too sure.

17 Q. How did you hear or get the impression
18 that there was a slope there?

19 A. I guess just listening to guys talk, you
20 know, but it may not be there, I may have
21 overheard and didn't hear right. I'm not going
22 to say that is true. I'm saying on that side the

1 lockers are hollow. If you -- it was like if you
2 touch them they move, and they could tip.

3 Q. How long had Frances been using that
4 locker; how long had she been with you guys in
5 that facility?

6 A. One day, that was her first day coming
7 back after her accident.

8 Q. Is it true it would have been just a
9 couple more days than that, it is the first week
10 or something, or are you pretty sure it may have
11 been the first day?

12 A. She may have been there prior to that.
13 It was the first day I saw her.

14 Q. I understand. Do you know of anyway that
15 she would have had a way of knowing that these
16 lockers might tip over on her?

17 A. No way because as I said I was excited to
18 see her. She was just coming back from an
19 accident, so there was no way that she would have
20 known anything.

21 Q. Was there anything that she did that you
22 think makes her at fault in causing her own

1 accident, anything you saw?

2 MR. BOWLES: I will object to the
3 question.

4 BY MR. COOPER:

5 Q. You can go ahead and answer.

6 MR. BOWLES: It calls for a conclusion.
7 That is beyond the scope of this witness to give.
8 Go ahead and answer.

9 THE WITNESS: I think it was just an
10 unpredictable situation. It wasn't something
11 that was intentionally done. It was unknown to
12 her. It wasn't something that, you know, that
13 someone would try to do. It was just one of
14 those freak accidents that happen.

15 BY MR. COOPER:

16 Q. Was there anyway in which you think she
17 could have prevented --

18 A. No. Once it started there was no way.
19 In the small room the only thing she could do was
20 move as fast as she could.

21 Q. Were you able to move the entire locker
22 off her yourself?

1 A. I slid it up, yes. I moved the one that
2 was pinning her down. I moved my weight on that.
3 Q. To free her leg?
4 A. And then I slid her down.
5 Q. Were you able to tip the thing all the
6 way back upright?
7 A. No, I wasn't doing that. I just was able
8 to get it enough to slide her leg out, and she
9 was out and I pushed, I took stress.
10 Q. In saying you took stress it was heavy
11 enough that it was hard to get it off her?
12 A. Yeah.
13 Q. Heavy enough that you didn't want to try
14 to lift it backup yourself?
is A. No, it took four guys to pick that locker
16 up.
17 Q. In terms of any statements, has Frances
18 told you anything particularly about how this
19 thing happened or what she observed?
20 A. No, because she really didn't know. she
21 just knew she was down.
22 Q. Did she lose consciousness or blackout or

1 just get dazed?

2 A. She was out for like a daze, she didn't
3 know. She was really out of it. It wasn't long,
4 just long enough.

5 Q. How long was it before Mr. Johnson got to
6 the scene, how long after the lockers came down?

7 A. Who is Mr. Johnson?

8 Q. Squiggy-

9 A. It was a few minutes. It was a little
10 bit longer, a few minutes. Deborjah was there
11 immediately. It took him 10 minutes, 20 minutes,
12 he didn't come right away because Deborjah had to
13 go back and get him. She had to go all the way
14 around that building and back into the office.

is Q. Did somebody administer first aid to you?

16 A. They was concerned, but I knew I would be
17 all right. I just had to rest. I'm used to
18 asthma.

19 Q. Do you have a respirator or something?

20 A . p i l l s .

21 Q- So you took a pill maybe?

22 A. No, that was at home, so they wouldn't

1 let me leave. They wanted to make sure I was
2 okay, so the whole thing was getting me calmed
3 down. I wanted to see that she was all right. I
4 calmed down.

5 Q. You were pretty shook up by this?

6 A. Yes, I was.

7 Q. Between when you slid the locker over so
8 she could free up her leg did she remain in that
9 position?

10 A. Because she wasn't helping me much I
11 pushed her with my body, and I laid her down.
12 She was still dazing about what happened. At
13 that time Deborjah was coming in the door.

14 Q. Did she pretty much remain in that
is position lying on the floor until the paramedics
1 6 came?

17 A. Yes.

18 Q. So if Squiggy said he thought she was up
19 on a bench?

20 A. By the time they had her up on the bench,
21 by that, at the time she was on the floor. She
22 had been on the floor for a few minutes.

1 Q. You said that she hit her head first?

2 A. When the locker came down it hit her arm
3 and head because the locker is taller than her,
4 so that part got her head. That is why I thought
5 she was gone. I saw her blackout, and I began to
6 scream more. And then I ran over to her, and I
7 pushed the locker, and I said lay there, she was
8 trying to get up. And then when I ran back
9 everything was real fast pace, and Deborjah was
10 running around, and she ran back and everyone was
11 coming through the door.

12 Q. Did she hit her head on the opposing
13 locker on the other side of the wall?

14 A. If I'm not mistaken when the locker come
15 down that door of hers that was open that is what
16 really got her along with all the other stuff in
17 the locker coming out. The other locker didn't
18 move at all because they were attached. It is
19 just all the weight came down on her.

20 Q. When you say they didn't move, they moved
21 together?

22 A. They came down together, but that door

1 was open too, and with all her books that was up
2 top they came down too, books, everything was on
3 her head.

4 Q. Do you remember what body parts she was
5 saying were hurt?

6 A. Her arm I knew and the top of her head.
7 I knew her arm was hurt because it landed, and
8 then her leg was underneath that locker. I
9 thought that was broken.

10 Q. Was that her right leg or left leg?

11 A. I really couldn't tell.

12 Q. Was she bleeding at all?

13 A. I didn't see any blood at all. I thought
14 it was internal.

15 Q. Do you remember talking to anyone else at
16 the scene about what happened?

17 A. Deborjah, Teddy Rao, Nita, was on the
18 other side, she heard me hollering.

19 Q. What is Nital's last name?

20 A. Mayo, and John, the supervisor, they came
21 over. They ran toward the train and they came
22 back this way. She got them to come back.

1 Q. You indicated that all of the lockers on
2 the left-hand side of this locker room were
3 unbolted prior to Frances, injury, correct?

4 A. Yes.

5 Q. Do you know whether the ones on the
6 right-hand side were or were not bolted?

7 A. I think they were bolted, I'm not too
8 sure.

9 Q. Do you know for sure whether or not she
10 was touching the locker at all at the time it
11 came over?

12 A. No more than to get her hat out. She
13 already had her coat.

14 Q. I guess I'm wondering is at the time she
15 started to tip was she actually physically in
16 contact with it?

17 A. You stand in front of your locker -- oh,
18 no, she just reached up and got her hat.

19 Q. So in terms of departments, your
20 department would have been in charge with
21 cleaning the locker room. Who would have been
22 charged with doing routine maintenance or repairs

1 to it?
2 A. That is fixed property and the
3 electrical -- I guess, electric takes care of the
4 lights, and fixed property takes care of the
5 other things.
6 Q. Maintenance and repair comes under there?
7 A. Under fixed property.
8 Q. Do you have any idea why it was not
9 bolted?
10 A. No, I really don't. Asked that question
11 too, they couldn't give me an answer.
12 Q. Were all the lockers in that locker room
13 in use?
14 A. Yes.
15 Q. Pretty much filled?
16 A. Pretty much filled, yes, they were.
17 Q. The general public does not have access
18 to that area back there, do they?
19 A. No.
20 Q. Only Amtrak employees?
21 A. Amtrak employees.
22 Q. I take it you don't know the exact weight

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1 of those lockers?

2 A . No .

3 Q. Are you aware of any particular safety
4 rules or guidelines that govern this situation
5 that things should be bolted down?

6 A. I heard of it afterward that they should
7 have been bolted down, but prior to that I
8 didn't.

9 Q. Do you know what the exact safety rule is
10 or where that is found?

11 A. It is not so much a safety rule. It is a
12 regular thing that they do as soon as this
13 accident happened. We heard a lot about how why
14 was this not bolted down.

is Q. What were people saying?

16 A. Just that they were saying why weren't
17 they bolted down.

18 Q. Who did you hear discussing that?

19 A. Some of the supervisors that were there
20 that is over top of the whole department. When
21 things happened at Amtrak it goes to more than
22 one, it goes all the way to the head, and they

1 want to know why.
2 Q. Did anyone ever answer that question?
3 A. I wouldn't know.
4 Q. Do you have any plans to be moving any
5 time soon?
6 A. No.
7 Q. What do you call that locker room, is
8 there a name for it?
9 A. Women's locker room.
10 Q. Is that the only one for Amtrak
11 employees?
12 A. They just say women's, but it is for the
13 conductors.
14 Q. I take it you were with me when I took
15 some photographs too, earlier?
16 A. Yes.
17 Q. Other than the bolting of the lockers to
18 the wall or the floor is there any other change
19 in that locker room from how it existed on the
20 date of Frances' accident?
21 A. Yes. We have put up new lights and
22 electric heat in there, different heat. That is

1 about all.

2 Q. Nothing other than that change?

3 A. Nothing else has changed.

4 Q. When did you come on duty that day, do
5 you recall?

6 A. I was there at 7:59.

7 Q. A.m.?

8 A. A.m. until 3:59.

9 Q. Do you remember, I think the records
10 indicate it was probably around 2:00 to 2:15 or
11 so that this occurred?

12 A. Yes.

13 Q. Does that sound about right?

14 A. Yes.

15 Q. Ms. Humbles, in terms of where Frances
16 was after you slid the lockers on over, I got a
17 little bit confused. I understand from the first
18 go round it was that she was on the floor, and
19 your best recollection is that she remained on
20 the floor until the paramedics got there?

21 A. As far as I know. See, when I -- she was
22 on the floor, and I went out the locker room.

1 Q. Because you had your attack?

2 A. I was outside. I came back prior and
3 they was all over her. She was on the floor I
4 think, when I came back I think she was still,
5 and they picked her up.

6 Q. As best you recall you left her on the
7 floor?

8 A. I left her on the floor. When I left her
9 she was lying on the floor, and it didn't take
10 long after everybody knew she was hurt. That is
11 when everybody ran.

12 MR. COOPER: That is all the questions I
13 have for you. Please answer any questions from
14 Mr. Bowles.

15 EXAMINATION

16 BY MR. BOWLES:

17 Q. Just a couple. You were asked a question
18 how much does the locker weigh. I would assume
19 that when they are empty they don't weigh a lot?

20 A. They were very hollow.

21 MR. COOPER: Objection to the leading.

22 BY MR. BOWLES:

1 Q. And of course when they are full they
2 weigh more depending on what is in them?

3 A. Yes.

4 Q. And the locker that you had the trouble
5 with in March of 1995 when you first came back
6 after having been out six months, that was the
7 middle of three lockers tied together?

8 A. Yes.

9 Q. What is the number of your locker?

10 A. Thirty-two.

11 Q. That is the locker you still have today?

12 A. Yes.

13 Q. And the locker that Ms. Carey had was the
14 middle of the three lockers?

15 A. Yes.

16 Q. And her locker number was 41?

17 A. Yes.

18 Q. Were there two lockers on each side of
19 41; do they have locks on them?

20 A. All the lockers have locks on them.

21 Q. Do the locks belong to the individual
22 people?

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1 A Yes.
2 Q. So you supply your own lock?
3 A. You supply your own locks. You have to
4 fill out a form, and then you come back and pick
5 up your key because they put the lock on the
6 locker, and you pick up your key.
7 Q. You lost me?
8 A. I said it wrong.
9 Q. You go to get a locker assigned to you
10 and you fill out a form?
11 A. Right, and you bring a lock and key. You
12 leave your lock and key there. They will assign
13 the locker, put it on the piece of paper that you
14 turn in, and you come back and you pick up your
15 key, and you sign on the bottom that you get
16 your -- and the lock is on the locker.
17 Q. How many keys do you get?
18 A. With a locker you have two keys.
19 Q. You get to keep two keys?
20 A. You keep one and he keeps the other in
21 case you get locked out of your locker.
22 Q. When you say he, who is he?

1 A Briscoe.
2 Q- So Briscoe has a duplicate key for every
3 locker in there?
4 A. Yes.
5 Q. And then you have your individual key to
6 get in and out?
7 A. Yes.
8 Q. But the lock belongs to you?
9 A. Yes.
10 Q. How long have you been with Amtrak?
11 A. Seventeen years.
12 Q. And how long have you been cleaning?
13 A. About seven years now.
14 Q. What did you do before that?
is A. I was crew dispatcher.
16 Q. All the years that you have been with
17 Amtrak there have always been safety meetings of
18 one sort or another?
19 A. There has.

20 Q- And Amtrak is very conscious of trying to
21 make things safe, would you agree with that?
22 MR. COOPER: Objection to the leading.

1 THE WITNESS: Basically I think so.
2 BY MR. BOWLES:
3 Q. They want you to work safe?
4 A. Yes, they do.
5 Q. Would it be fair to say that every time
6 such incidents happen like what happened to
7 Ms. Carey there is an intensification of the
8 greater focus on safety immediately after
9 something bad has happened?
10 A. When something happened they do
11 immediately -- this is when you see people you
12 have never seen before, and there is a lot of
13 questions why it wasn't done.
14 Q. People want to know what could have been
15 done to prevent the thing from happening?
16 A. Yes.
17 Q. You said that because you work the extra
18 board you might not be around when the mechanical
19 people had their safety meeting?
20 A. Yes.
21 Q- But they leave a bulletin?
22 A. My department leaves a bulletin.

1 Q. And it was your responsibility to read
2 that?

3 A. Yes.

4 Q. And were you also issued one of those
5 safety books, one of the red safety books?

6 A. It is a different color every month, and
7 all of us are issued that, even the conductors.
8 When you walk into the office they get the same
9 safety book. They've a safety rule, and they are
10 set in crew dispatch offices and the cafeteria.
11 They are everywhere.

12 Q. Ever since you have been with Amtrak
13 would it be fair to say that you have known if
14 you see a dangerous condition you are supposed to
15 report it to somebody?

16 A. Basically.

17 Q. And the incident that you had in March of
18 195 of your locker wanting to tip on you, was
19 your locker full or empty at that point?

20 A. It was half full. It wasn't really full,
21 full. It didn't have many things in it. I had
22 my uniform, shoes, everything.

1 Q. Did you feel that your locker threatened
2 you from this point on?

3 A. I was more careful because I was aware.

4 Q- After the lock is put on these lockers,
5 you or Briscoe are the only people that could get
6 in it?

7 A. Briscoe is the only person. The only way
8 I could get in it is if somebody has given me
9 permission to get their keys. Other than that I
10 don't touch anything in their locker at all.

11 Q. When you come and clean, you clean the
12 floor, you wipe the bench down, would you wipe
13 the locker down for dust, that sort of thing?

14 A. Yes.

15 Q. How about the tops of that?

16 A. We do that sometimes, but we have a
17 company that comes in and do that on a regular
18 basis. We have a cleaning company that comes in,
19 and they do the dusting of the lockers, the top
20 of the lockers, and they do the heavy waxing and
21 mopping of the floor.

22 Q. So basically you just did day-to-day

1 routine?

2 A . Yes

3 Q- And the heavy stuff was done by an
4 outside company?

5 A. Outside company.

6 Q. Did you ever feel while you worked around
7 the locker in that room that they were a danger
8 to you, did you feel threatened by them?

9 A. I wasn't in there that long because
10 it is a small area, and it is like a quick in
11 and out. The only reason why I was cautious
12 because I knew not to do something wrong, but
13 like I said when you are aware of something you
14 are more alert.

15 Q. Would it be fair to say that if the
16 lockers had a bunch of stuff in them that they
17 were more stable than if they were empty?

18 A. I think they are. It is a toss up
19 because if you tip one all is coming whether it
20 is stable or not, and that would make it more
21 heavy when it comes dropping down on you.

22 Q. The lockers on either side of 41 of

1 Ms. Carey's locker were locked?

2 A. Yes.

3 Q. You have no way of knowing what was in
4 there whether it was heavy, light, or whatnot?

5 A. No.

6 Q. All you know is it took four people to
7 get the thing back upright?

8 A. Because they had so many books. I don't
9 know if you ever carried one of those books
10 before, but they have every type of book. it
11 is heavy. In fact, sometimes it messes up the
12 body.

13 MR. BOWLES: I don't believe I have any
14 other questions.

15 EXAMINATION

16 BY MR. COOPER:

17 Q. The red safety book you are talking
18 about, what is the name of that?

19 A. They are different colors now. They are
20 just not red. This month is red, but they are
21 called safety books.

22 Q. That is the one you were describing to me

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1 before, that is a monthly thing?

2 A. This is a monthly thing plus they have
3 meetings every day.

4 Q. And those monthly books and the meetings
5 were instituted at the time?

6 A. The book did, but they have always had
7 some type of safety meeting here.

8 Q. But the books came after Frances'
9 incident?

10 A. Yes.

11 Q. In terms of the cleaning company what is
12 the name of that company?

13 A. I'm not too sure about the cleaning
14 company. I don't know the name even though I
15 know the man's name is Mr. Green.

16 Q. Do you know his first name by chance?

17 A. No, I think his name is Mr. Green. I
18 call him Mr. Green.

19 Q. That is all the questions I have for you.

20 A. Can I say one thing about the time and
21 date of the locker. You need to check back, but
22 I know that I was out during the time. I'm

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1 thinking back here about the lockers, I'm sure
2 that they was working on them when I left.

3 Q. That is as far as the installation of
4 these lockers? Let me ask one other question. I
5 notice when Mr. Bowles was asking you about
6 whether Amtrak has an emphasis on safety and
7 always trying to do everything as safe as
8 possible, there was a little hesitant in your
9 response?

10 A. Because it is not always Amtrak all
11 the time because it is in the -- because it is
12 the people in the position because what Amtrak
13 tries to enforce the people don't try to enforce.
14 It is hard when they are enforcing one thing,
15 and who they have in charge is not doing one
16 thing. It is like the lockers, from my
17 understanding they were supposed to be bolted
18 down and this was an oversight on somebody, that
19 is why.

20 EXAMINATION

21 BY MR. BOWLES:

22 Q. Is what you are saying is Amtrak can't be

1 any better than its people?
2 A. Oh, that's right, or they can't be
3 everywhere at every time.
4 (Reading and signing not waived.)
5 (Time Noted: 1:35 p.m.)
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1 DISTRICT OF COLUMBIA, to wit:

2 I, Donna E. Mize, before whom the
3 foregoing deposition was taken, do hereby certify
4 that the within-named witness personally appeared
5 before me at the time and place herein set out,
6 and after having been duly sworn by me, according
7 to law, was examined by counsel.

8 I further certify that the
9 examination was recorded stenographically by me
10 and this transcript is a true record of the
11 proceedings.

12 I further certify that I am not of
13 counsel to any party, nor an employee of counsel,
14 nor related to any party, nor in any way
15 interested in the outcome of this action.

16 As witness my hand and notarial seal
17 this --[2,rq- - - day of ----- 1 9 9 7 .

18
19

20 DONNA E. MIZE

21 Notary Public

22 MY COMMISSION EXPIRES: 12/14/01

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I N D E X
DEPOSITION OF ANN HUMBLER
DECEMBER 2, 1997

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EXAMINATION BY:	PAGE
MR. COOPER	3/63
MR. BOWLES	55/65
EXHIBITS:	PAGE MARKED
NONE	

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CERTIFICATE OF DEPONENT

I hereby certify that I have read and examined the foregoing transcript, and the same is a true and accurate record of the testimony given by me.

Any additions or corrections that I feel are necessary, I will attach on a separate sheet of paper to the original transcript.

ANN HUMBLES

I hereby certify that the individual representing himself/herself to be the above-named individual, appeared before me this day of 1 1997, and executed the above certificate in my presence.

NOTARY PUBLIC IN AND FOR

MY COMMISSION EXPIRES:

BOSSARD ASSOCIATES, INC. (202) 842-3300

1 WITNESS: ANN HUMBLES
2 DATP: D2CEMBER 2, 1997
3 CASE: CAREY VS NATIONAL RAILROAD PASSENGER CORP.
4 Please note any errors and the corrections
5 thereof on this errata sheet. The rules require
6 a reason for any change or correction. It may be
7 general, such as "To correct stenographic error,"
8 or "To clarify the record," or "To conform with
9 the facts."
10 PAGE LINE CORRECTION REASON FOR CHANGE
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